

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

NESBITT H. COKER,

Plaintiff,

-vs-

6:02-CV-1358

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Thomas J. McAvoy, Senior U.S. District Judge

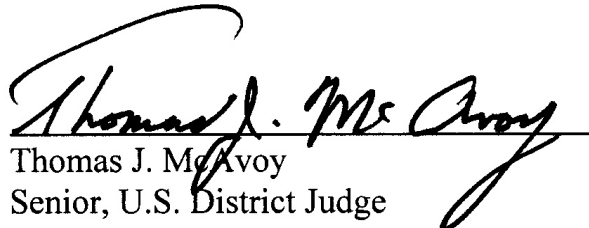
DECISION and ORDER

This matter was referred to the Hon. George H. Lowe, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. After examining the record, this Court has determined that the Report and Recommendation is not subject to attack for plain error or manifest injustice. Furthermore, no objections to the August 31, 2005 Report and Recommendation have been raised. Accordingly, this Court adopts the Report and Recommendation for the reasons stated therein.

Therefore, the decision of the Commissioner **AFFIRMED**, and the Complaint is **DISMISSED**.

IT IS SO ORDERED.

Dated: September 27, 2005


Thomas J. McAvoy
Senior, U.S. District Judge